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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/731,872	12/07/2000	Jean-Baptiste Dumas Milne Edwards	78.US3.REG

CONFIRMATION NO. 9916

FORMALITIES LETTER



\*OC000000006101516\*

John Lucas, Ph.D., J.D.  
Director, Intellectual Property  
Genset Corporation  
875 Prospect Street, Suite 206  
La Jolla, CA 92037

Date Mailed: 05/22/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/13/2001 D:\GUYEN1 00000108 09731872

01 FC:105

130.00 CP



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
)  
Applicant : Jean-Baptiste DUMAS MILNE )  
                  EDWARDS, et al. )  
) Grp./A.U. : 1645  
Appl. No. : 09/731,872 )  
) Examiner : Unassigned  
Filed : December 7, 2000 )  
)  
Title : FULL-LENGTH HUMAN CDNAS )  
          ENCODING POTENTIALLY SECRETED )  
          PROTEINS )

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Assistant Commissioner of Patents  
Box: Missing Parts  
Washington, D.C. 20231

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice To File Missing Parts Of Nonprovisional Application  
dated May 22, 2001, enclosed please find the following documents:

	<u>Document</u>	<u>Quantity</u>
1)	Copy of the Notice To File Missing Parts Of Nonprovisional Application	1 page
2)	Declarations signed by Jean-Baptiste Dumas Milne Edwards; Lydie Bougueleret; Severin Jobert	9 pages
3)	Powers of Attorney signed by Jean-Baptiste Dumas Milne Edwards; Lydie Bougueleret; Severin Jobert	3 pages
4)	Statement Under 37 CFR 3.73(b) with copies of the Assignment documents	7 pages
5)	Check No. 1867 in the amount of \$130.00 in payment of the surcharge	
6)	Petition for Extension of Time under 37 CFR 1.136(a)	1 Page

	<u>Document</u>	<u>Quantity</u>
7)	Check No. 2426 in the amount of \$390.00 for 2 month extension of time	
8)	Assignments executed by Jean-Baptiste Dumas Milne Edwards; Lydie Bougueleret; Severin Jobert; Assignment Recordation Cover Page	6 pages
9)	Assignment Recordation Cover Page	1 page
10)	Check No. 2427 in the amount of \$40.00 in payment of the recordation fee	
11)	Return Receipt Postcard	

Please charge any additional fees, or credit overpayment to Deposit Account No.

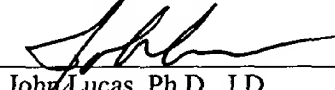
50-1181.

Respectfully submitted,

GENSET CORPORATION

Date: 5 Sept, 2001

By:

  
John Lucas, Ph.D., J.D.  
Reg. No. 43,373

10665 Sorrento Valley Road  
San Diego, CA 92121-1609

*Certificate of Mailing*

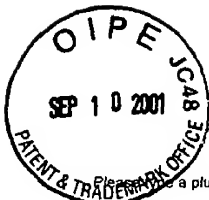
Date of Deposit: Sept 6, 2001

Telephone: (868) 597-2610  
Facsimile: (858) 597-2600  
e-mail: john.lucas@genxy.com

*I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the Date of Deposit shown above, postage prepaid and in an envelope addressed to the Assistant Commissioner for Patents, Box Non Fee Amendment, Washington, D.C. 20231.*

  
Signature

C. M. McClure  
Typed or Printed Name of Person Signing Certificate



Section 1

Please place a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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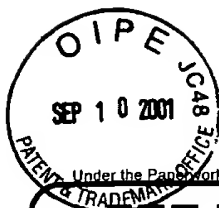
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/731,872
	<b>Filing Date</b>	December 7, 2000
	<b>First Named Inventor</b>	Dumas Milne Edwards, et al.
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	Unassigned
<b>Total Number of Pages in This Submission</b>	<b>Attorney Docket Number</b>	78.US3.REG

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 3.73(b); Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks</b>	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
<b>Firm or Individual name</b>	John Lucas, Ph.D., J.D.	Reg. No. 43,373
<b>Signature</b>		
<b>Date</b>	5 Sept 01	

<b>CERTIFICATE OF MAILING</b>		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>SEPT 6, 2001</b>		
<b>Typed or printed name</b>	C. M. McClure	
<b>Signature</b>		<b>Date</b> 09/06/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 560.00

**Complete if Known**

Application Number	09/731,872
Filing Date	December 7, 2000
First Named Inventor	Dumas Milne Edwards, et al.
Examiner Name	Unassigned
Group Art Unit	1645
Attorney Docket No.	78.US3.REG

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1181
Deposit Account Name	GENSET CORPORATION

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0.00

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	390
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 560.00

**SUBMITTED BY**

Name (Print/Type)	John Lucas, Ph.D., J.D.
Signature	

Registration No. (Attorney/Agent)	43,373
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**Complete (if applicable)**

Telephone	858/597-2600
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Date	5 Sept 01
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**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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